IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

TUESDAY, THE 19TH DECEMBER 2006 / 28TH AGRAHAYANA 1928

WP(C).No. 22944 of 2006(F)

PETITIONER:

K. CHANDRAN, S/O.APPU,
KATTUNGAL HOUSE, P.O. TANUR,
MALAPPURAM DISTRICT.

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENTS:
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1. THE REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM, REPRESENTED BY ITS SECRETARY.

2. THE SECRETARY, REGIONAL TRANSPORT
AUTHORITY, MALAPPURAM.

3. THE STATE TRANSPORT APPELLATE
TRIBUNAL, ERNAKULAM.

ADDL.R4. THE KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, THIRUVANANTHAPURAM
BY ITS MANAGING DIRECTOR

(ADDL.R4 IMPLEADED VIDE ORDER IN I.A.12244/06 DATED 19/12/2006)

BY ADV. SHRI.JOHNSON P.JOHN, SC, KSRTC
SRI.K.PRABHAKARAN, SC, K.S.R.T.C.
GOVERNMENT PLEADER SMT.D.P.RENU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO. 22944/2006

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT P1:	**TRUE COPY OF THE APPLICATION BY THE PETITIONER'S**
EXHIBIT P2:	**TRUE COPY OF THE REPORT OF THE MOTOR VEHICLES INSPECTOR.**
EXHIBIT P3:	**TRUE COPY OF THE PROCEEDINGS OF THE RTA, MALAPPURAM.**
EXHIBIT P4:	**TRUE COPY OF THE JUDGMENT DATED 20.10.2004.**
EXHIBIT P5:	**TRUE COPY OF THE NOTIFICATION DATED 09.05.2006.**

//TRUE COPY//

P.A. TO JUDGE

P.R.RAMAN, J.

W.P.(C) NO. 22944 OF 2006

Dated this the 19th day of December, 2006

J U D G M E N T

The limited prayer is for a direction to respondents 1 and 2 to consider the grant of permit as per Exhibit P1 application. Earlier by Exhibit P3, the same was rejected on the ground that permit will violate the notified route. The said view was confirmed in Exhibit P4. Exhibit P5 is only a proposal calling for objection. Petitioner has not produced any final notification pursuant to the proposal Exhibit P5. Hence his contention based on Exhibit P5 that overlapping upto 10 Kms is permissible as is clear from the remark contained, against Column 19 of Exhibit P5 at present cannot be looked into. Further, if any subsequent notification is issued permitting overlapping of 10 Kms. or 10% as the case may be and if the petitioner files a fresh application, the same shall be considered in accordance with law untramelled by the fact that his earlier application was rejected.

Writ petition is disposed of as above.

P.R.RAMAN, JUDGE

Rp